REMARKS

Applicant submits this Amendment in reply to the Office Action mailed March 22, 2006.

In this Amendment, Applicant amends the specification, Abstract of the Disclosure, and

claims 2, 5, and 8-14 to improve clarity. No amendments are made in response to the

Examiner's rejection.

Before entry of the Amendment, claims 1-14 were pending in this application. After

entry of the Amendment, claims 1-14 remain pending in the application.

The originally filed specification, claims, Abstract of the Disclosure, and drawings fully

support the amendments to the specification, Abstract of the Disclosure, and claims 2, 5, and 8-

14. No new matter is introduced.

In the Office Action, the Examiner rejected claims 1-14 under 35 U.S.C. § 103(a) as

being unpatentable over U.S. Patent No. 6,484,260 B1 to Scott et al. ("Scott") in view of

European Patent Application No. 0,851,629 A2 to Nagashima et al. ("Nagashima").

Applicant respectfully traverses the Examiner's rejection.

Drawings

Applicant notes that neither the PTOL-326 in the Office Action mailed September 22,

2005, nor the PTOL-326 in the Office Action mailed March 22, 2006, appears to indicate the

status of the drawings filed on February 14, 2002, and May 20, 2002. As a result, Applicant

requests that the Examiner clarify the status of the drawings in the next paper mailed from the

U.S. Patent and Trademark Office ("USPTO").

Priority

Applicant notes that neither the PTOL-326 in the Office Action mailed September 22, 2005, nor the PTOL-326 in the Office Action mailed March 22, 2006, appears to acknowledge the Applicant's claim for foreign priority. As a result, Applicant requests that the Examiner clarify the status of the claim for foreign priority in the next paper mailed from the USPTO.

Scott

Scott discloses "storing an ID code associated only with a portable registered device controlled by the registered person . . . ." Scott, c. 4/ll. 8-9. It also discloses that "the encrypted data [includes] a synchronization counter associated with the user device." Id., c. 4/ll. 28-29. And that "the units are manufactured with unique ID codes and private keys." Id., c. 5/ll. 60-61.

However, Scott does not appear to disclose that the ID code of a user device can change. Instead, the ID code appears to be fixed for a given user device. Thus, to the extent that the ID code for a given user device of Scott corresponds to important information, that important information does not change. And, as a result, Scott doesn't disclose that the synchronization counter associated with the specific user device changes when a portion of the important information for that user device is updated (i.e., it doesn't disclose "storing synchronizing information, which changes when a portion of the important information is updated, in the database together with the important information, and encrypting the synchronizing information").

Additionally, on p. 4/§ 7 of the Office Action, the Examiner tacitly admits that Scott does not disclose either "distributively storing the encrypted synchronizing information in a plurality of predetermined places" or "combining and decrypting the synchronizing information stored in

the predetermined places and determining whether the combined synchronizing information is identical to the synchronizing information stored in the database".

Applicant also notes that Scott does not appear to discuss at least header portions of content files or Digital Rights Management (DRM) information.

Nagashima

Nagashima discloses an "encryption system . . . comprising at least one first apparatus holding a secret key K and a plurality of second apparatuses secretly holding at least one piece of partial information K_{1i} (i = 1, 2, . . .) generated by secret sharing of the secret key K . . . ." Nagashima, p. 4/ll. 4-7. However, Nagashima does not appear to disclose synchronizing information. Thus, Applicant submits that Nagashima attempts to store and securely manage secret key K as its important data. And Nagashima attempts to store in a plurality of second apparatuses at least one piece of partial information K_{1i} (I = 1, 2, ...) related to its important data, not any synchronizing information. Thus, Applicant submits that Nagashima does not disclose "storing synchronizing information, which changes when a portion of the important information is updated, in the database together with the important information, and encrypting the synchronizing information", "distributively storing the encrypted synchronizing information in a plurality of predetermined places", or "combining and decrypting the synchronizing information stored in the predetermined places and determining whether the combined synchronizing information is identical to the synchronizing information stored in the database".

Applicant also notes that Nagashima does not appear to discuss at least header portions of content files or DRM information.

<u>Claim Rejection Under 35 U.S.C. § 103(a)—Independent Claim 1</u>

Claim 1 recites, <u>inter alia</u>, "storing synchronizing information, which changes when a portion of the important information is updated, in the database together with the important information, and encrypting the synchronizing information", "distributively storing the encrypted synchronizing information in a plurality of predetermined places", and "combining and decrypting the synchronizing information stored in the predetermined places and determining whether the combined synchronizing information is identical to the synchronizing information stored in the database". As discussed above, neither Scott nor Nagashima discloses these recitations.

Because a <u>prima facie</u> case of obviousness using multiple references requires that the references, when combined, teach or suggest all the claim limitations [see MPEP 2143.03 (8th ed., Rev. 3, Aug. 2005)], Applicant submits that claim 1 is not unpatentable under 35 U.S.C. § 103(a) over the cited references, including Scott, Nagashima, and the other art of record.

<u>Claim Rejection Under 35 U.S.C. § 103(a)—Dependent Claims 2-8 and 14</u>

Applicant submits that dependent claims 2-8 and 14 are not unpatentable under 35 U.S.C. § 103(a) over the cited references, including Scott, Nagashima, and the other art of record, at least due to the direct or indirect dependency of claims 2-8 and 14 from independent claim 1.

<u>Claim Rejection Under 35 U.S.C. § 103(a)—Independent Claim 9</u>

Claim 9, as amended, recites "[a] content file, comprising: a header portion comprising key-data for synchronizing information and synchronizing information distributively stored in a plurality of predetermined places of a hard disc; and a data portion". As discussed above, neither Scott nor Nagashima discloses these recitations.

And because a <u>prima facie</u> case of obviousness using multiple references requires that the references, when combined, teach or suggest all the claim limitations [see MPEP 2143.03 (8th ed., Rev. 3, Aug. 2005)], Applicant submits that claim 9 is not unpatentable under 35 U.S.C. § 103(a) over the cited references, including Scott, Nagashima, and the other art of record.

<u>Claim Rejection Under 35 U.S.C. § 103(a)—Dependent Claims 10 and 11</u>

Applicant submits that dependent claims 10 and 11 are not unpatentable under 35 U.S.C. § 103(a) over the cited references, including Scott, Nagashima, and the other art of record, at least due to the direct dependency of claims 10 and 11 from independent claim 9.

<u>Claim Rejection Under 35 U.S.C. § 103(a)—Independent Claim 12</u>

Claim 12, as amended, recites "[a] content file, comprising: a header portion comprising key-data for Digital Rights Management (DRM) information and DRM information distributively stored in a plurality of predetermined places of a hard disc; and a data portion". As discussed above, neither Scott nor Nagashima discloses these recitations.

And because a <u>prima facie</u> case of obviousness using multiple references requires that the references, when combined, teach or suggest all the claim limitations [see MPEP 2143.03 (8th ed., Rev. 3, Aug. 2005)], Applicant submits that claim 12 is not unpatentable under 35 U.S.C. § 103(a) over the cited references, including Scott, Nagashima, and the other art of record.

<u>Claim Rejection Under 35 U.S.C. § 103(a)—Dependent Claim 13</u>

Applicant submits that dependent claim 13 is not unpatentable under 35 U.S.C. § 103(a) over the cited references, including Scott, Nagashima, and the other art of record, at least due to the direct dependency of claim 13 from independent claim 12.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/074,044

Docket No. Q67312

Request for Reconsideration and Allowance

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE
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